

Notice of Allowability

Application No.

09/875,723

Examiner

Ronald Baum

Applicant(s)

JUSSY ET AL.

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/25/05.
2. ☒ The allowed claim(s) is/are 37-70.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER
TEC. TECHNOLOGY CENTER 2100

DETAILED ACTION

Examiner's Statement of Reasons for Allowance

1. Claims 37-70 are allowed over prior art.
2. This action is in reply to applicant's correspondence of 25 October 2005
3. The following is an examiner's statement of reasons for the indication of allowable claimed subject matter.
4. As per claims 37,41,59,63,64,70, generally, prior art of record, Cromer, U.S. Patent 6,609,207 B1, and Mufic, U.S. Patent 5,943,423, fails to teach alone, or in combination, at the time of the invention, the features as discussed and remarked upon in the response of 10/25/2005 to office action of 5/26/2005.

Specifically, (as per claim 37, for example) prior art dealing with industrial control network based elements (i.e., Opto 22, "SNAP Ethernet-Based I/O Units User's Guide", Nov. 2005, Opto 22, entire document, opto22.com/asset/documents/1460_SNAP_Eth-Based_IO_Units_Users_Guide.pdf), whereas the said elements encompass various control and enablement functions and services configurable using associated security functions (i.e., encryption of network communications, single/plural softkey distribution/management), nowhere in the prior art are the italicized claim elements serving to patentably distinguish the invention from said prior art; "A network element having a plurality of features wherein at least one of the features may be optionally enabled or disabled, the network element comprising:

a service module

that provides a first network feature

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that may be optionally

enabled or

disabled;

a system processor

that is operable

to receive a softkey value inputted from outside of the network element,

wherein the softkey value is received by the network element via a network connection; and

a softkey validation system

that is operable

to enable the use of the first network feature when

the received softkey value is the same as

a first valid softkey value,

the softkey validation system also being operable

to enable the use of the first network feature a second time,

after the first network feature has been deactivated, when

the received softkey value is the same as

a second valid softkey value, wherein

the first valid softkey value is not the same as

the second valid softkey value, and

the first and the second softkey values are generated

and

*can be used only once in relation to the first
network feature,*

the softkey validation system comprising:

memory for storing information related to the service module; and

code that when implemented causes the softkey validation system to

confirming whether

the received softkey value is

a valid softkey value,

the softkey validation system enabling the use of the
network feature after confirmation that the received softkey
value is valid.”

5. Dependent claims 38-40,42-58,60-62,65-69 are allowable by virtue of their dependencies.

Conclusion

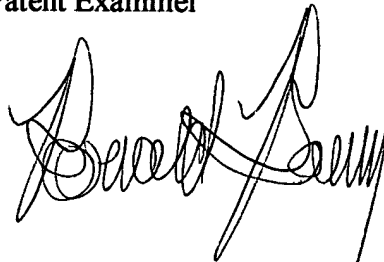
6. Any inquiry concerning this communication or earlier communications from examiner should be directed to Ronald Baum, whose telephone number is (571) 272-3861, and whose unofficial Fax number is (571) 273-3861. The examiner can normally be reached Monday through Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (571) 272-3795. The Fax number for the organization where this application is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. For more information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Baum

Patent Examiner



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